

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----	x	
	:	
UNITED STATES OF AMERICA	:	
	:	CONSENT PRELIMINARY ORDER
- v. -	:	OF FORFEITURE/
	:	<u>MONEY JUDGMENT</u>
JAMES WHITE,	:	
a/k/a "Infrared,"	:	S3 22 Cr. 641 (PMH)
	:	
Defendant.	:	
-----	x	

WHEREAS, on or about June 20, 2024, JAMES WHITE, a/k/a "Infrared" (the "Defendant"), was charged in a superseding Information, S3 22 Cr. 641 (PMH) (the "Information"), with racketeering conspiracy, in violation of Title 18, United States Code, Sections 1962(d) and 1963 (Count One) and narcotics conspiracy, in violation of Title 21, United States Code, Section 846 (Count Two);

WHEREAS, the Information included a forfeiture allegation as to Count One of the Information, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 1962, any and all interests the Defendants acquired or maintained in violation of Title 18, United States Code, Section 1962; any and all interests in, securities of, claims against, and property or contractual rights of any kind affording a source of influence over, the enterprise named and described herein which the Defendant established, operated, controlled, conducted, and participated in the conduct of, in violation of Title 18, United States Code, Section 1962; and any and all property constituting and derived from proceeds obtained, directly and indirectly, from the racketeering activity alleged in Count One of this Information, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, on or about June 20, 2024 the Defendant pled guilty to Counts One and Two of the Information, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegations with respect to Count One of the Information and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 1963, a sum of money representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Information;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$50,000 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained; for which the Defendant is jointly and severally liable with (i) his co-defendants, Justice Jackson (“Jackson”) and Tyrell Simon (“Simon”) and the forfeiture money judgment entered against Jackson and Simon in this case; and (ii) co-defendants Jeremy Williams, Randy Jones, Elijah Briggs, Paul Ayala, Messiah Jackson, Octavious Griffin, Markell Williams, Joshua Hendrick, Shamell Williams, Thomas Rodriguez, and Marcus Cardona (collectively, the “Co-Defendants”) to the extent forfeiture money judgments are entered against Co-Defendants in this case for the offense charged in Count One of the Indictment; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys, Jennifer N. Ong, Ryan W. Allison, and Margaret N. Vasu, of counsel, and the Defendant, and his counsel, John Diaz, Esq. and Cory Garcia, Esq. that:

1. As a result of the offense charged in Count One of the Information, to which the Defendant pled guilty, a money judgment in the amount of \$50,000 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Information that the Defendant personally obtained, for which the Defendant is jointly and severally liable with (i) his co-defendants, Jackson and Simon and the forfeiture money judgment entered against Jackson and Simon in this case; and (ii) the Co-defendants, to the extent forfeiture money judgments are entered against the Co-Defendants in this case for the offense charged in Count One of the Indictment, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant, JAMES WHITE, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

JENNIFER N. ONG

RYAN W. ALLISON

MARGARET N. VASU

Assistant United States Attorneys

50 Main Street, Suite 1100

White Plains, NY 10606

(914) 993-1900

12/19/24
DATE

JAMES WHITE

By: 

JAMES WHITE

By: 

John Diaz, Esq.

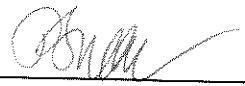
Cory Gracia, Esq.

Attorney for Defendant

12/19/24
DATE

12/19/24
DATE

SO ORDERED:


HONORABLE PHILIP M. HALPERN
UNITED STATES DISTRICT JUDGE

12/19/24
DATE